1947 **File No.** Munis Distt II/47

Legal **DEPARTMENT**

B **BRANCH**

Subject.

Rules and Notifications under the Bombay District Municipal Act, 1901

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MRP.
10/5/56.

Office of the R.L.A.

A revised draft Order is sent herewith.

Sd. P.M.Lad-
26/4
Remembrancer of Legal Affairs.

U.R.to G.D.,No.4237, dated the 26th April 1947.

GRP.
10/5/36.

Rander Municipality.

Supersession of --

GOVERNMENT OF BOMBAY.

General Department,

Resolution No.

Bombay Castle, 1947.

ORDER.

Whereas the Municipality of Rander (hereinafter referred to as "the said Municipality") has incurred heavy financial liabilities in respect of water supply, road repairs and expenses for education and the financial position of the said Municipality is in a deplorable condition;

And Whereas the said Municipality has not levied taxes sanctioned by the Commissioner to improve its financial condition;

And Whereas as a result of party factions and personal animosities prevailing in the said Municipality the administration is not carried on smoothly;

And Whereas the said Municipality has also neglected to improve its administration by refusing to employ qualified persons on its establishment, though repeatedly required to do so;

And Whereas in the opinion of the Government of Bombay, the said Municipality has persistently made default in the performance of the duties imposed upon it by or under the Bombay District Municipal Act, 1901 (Bom.III of 1901), or otherwise by law;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 179 of the said Act, the Government of Bombay is pleased to declare that the said Municipality to have persistently made default in the performance of the duties imposed upon it by or under the said Act or otherwise by law and to direct that it shall be superseded with effect from the date of the publication of this Order in the Official Gazette upto the 31st day of March 1950 inclusive.

2. The Commissioner, Northern Division, should be requested to take steps under clause (b) of sub-section (3) of section 179 of

the

of the said Act to appoint a person or persons to exercise the powers and perform the duties of the superseded Municipality.

3. This Order shall be published in the Bombay Government Gazette.

By order of the Governor of Bombay,

Deputy Secretary to Government.

MRP.
10/5/56.

Office of the R.L.A.

The draft order at pages 55-56 ante, as amended, is in order.

Sd. P. H. Lad
29/X/47.
Remembrancer of Legal Affairs.

U.R.to Health & Local Govt.Deptt.,No.4400,dated 30-4-1947.

MRP.
10/5/56.

Vita Municipality.

Removal of the President of — from office.

GOVERNMENT OF BOMBAY.

Health and Local Government Department,
Resolution No.S.154.

Bombay Castle, 1947.

Resolution of Government.

Whereas it has been represented to Government of Bombay that Mr. R.T.Lakade, President of the Vita Municipality in the Satara district —

(a) deliberately refused to call a special ~~xx~~ general meeting of the Municipality as required by sub-section (2) of section 26 of the Bombay District Municipal Act, 1901 (Bom.III of 1901), to consider the motion of no confidence against him in spite of valid written ~~xxxx~~ requests of the councillors;

(b) sanctioned the closure of a standpost water pipe on the ground of ~~x~~ want of repairs and took no steps to carry out the repairs for several months during which period the residents of the locality were put to considerable inconvenience;

(c) in or about May 1946 incurred, without the authority of the general body, an expenditure of Rs.40/- for the supply of water on an occasion when no special arrangements for the supply of water were really necessary;

(d) has held in abeyance the sanitary, water works, school and dispensary committees thereby allowing the standing committee to usurp

usurp all their powers; and

(e) has not exercised proper control over the expenditure incurred for the purchase of "Kadabi" and repairs to Petromax lamps;

And whereas it appears to the Government of Bombay that the said Mr.R.T. Lakade, President of the Vita Municipality, has been guilty of misconduct and neglect of the duties imposed upon him by clause (b) of sub-section (1) of section 24 and sub-section (2) of section 26 of the Bombay District Municipal Act, 1901 (Bom.III of 1901);

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 23 of the Bombay District Municipal Act, 1901(Bom.III of 1901), the Government of Bombay is pleased to direct that the said Mr. R.T.Lakade shall be removed from his office as President of the Vita Municipality for misconduct and neglect of duty under the said Act.

By order of the Governor of Bombay,

Deputy Secretary to Government.

MRP.
10/5/56.

Office of the R.L.A.

A revised draft is sent herewith.

Sd. P.M.Lad
14/6
Remembrancer of Legal Affairs.

U.R.to H. & L.G.D.,No.6189, dated the 14th June 1947.

MRP.
10/6/47.

Guledgud Municipality.
Supersession of --

ORDER.

Health and Local Government Department,
Bombay Castle, 1947.

No. .- Whereas the Municipality of Guledgud (hereinafter referred to as the said Municipality) has incurred heavy financial liability by withholding obligatory payments such as annual contributions to the District Local Board, Bijapur, on account of primary education, payment of wages to the municipal staff and payment of municipal contribution to the Provident Fund and the financial position of the said municipality is in a deplorable condition;

And Whereas the said Municipality has not levied any taxes with the sanction of the Commissioner to improve its financial condition; nor has it taken any measures to recover the outstanding arrears of taxes due to it which have been accumulating from year to year;

And Whereas the said Municipality has failed --

(a) to call quarterly ordinary general meetings according to the provisions of sub-section (1) of section 26 of the Bombay District Municipal Act, 1901 (Bom.III of 1901) (hereinafter called the said Act),

(b) to maintain public streets and drainage in a proper state of repairs and to construct a sufficient number of public urinals and latrines,

(c) to take effective measures for removing about 609 encroachments on public streets; and

(d) to maintain the public dispensary;

And

And Whereas in the opinion of the Government of Bombay, the said Municipality is not, therefore, competent to perform, and has persistently made default in the performance of, the duties imposed upon it by or under the said Act or otherwise by law;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 179 of the said Act, the Government of Bombay is pleased to declare the said Municipality to be incompetent and to have persistently made default in the performance of the duties imposed upon it by or under the said Act, or otherwise by law, and to direct that it shall be superseded with effect from the X X to the * inclusive.

xHere insert the date of publication Order.

*Date to be filled in by H.& L.D.

2. The Commissioner, Southern Division, should be requested to take steps under clause (b) of sub-section (3) of section 179 of the said Act to appoint a person or persons to exercise the powers and perform the duties of the superseded Municipality.

3. This Order shall be published in the Bombay Government Gazette.

By order of the Governor of Bombay,

Deputy Secretary to Government.

MRP.
10/5/56.